

Message Text

UNCLASSIFIED

PAGE 01 OECD P 27311 01 OF 02 180528Z

11

ACTION NRC-07

INFO OCT-01 EUR-12 ISO-00 L-03 OES-06 ERDA-07 FEA-01

ACDA-10 CIAE-00 INR-07 IO-13 NSAE-00 NSC-05 EB-07

DODE-00 EA-09 /088 W

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R 172033Z SEP 76

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 3436

UNCLAS SECTION 01 OF 02 OECD PARIS 27311

PASS ERDA FOR SIEVERING, NRC FOR LAFLEUR & EILPERIN

E.O. 11652: N/A

TAGS: NEA, OECD, TECH

SUBJECT: LIMITATION OF LIABILITY FOR NUCLEAR ACCIDENTS

REF: STATE 227205

1. IN RESPONSE TO REFTTEL, MISSION IS PROVIDING THE PRESENT STATE OF SIGNATURES, RATIFICATIONS AND ACCES- SIONS OF THE PARIS AND BRUSSELS SUPPLEMENTARY CONVEN- TIONS ON NUCLEAR THIRD PARTY LIABILITY PRESENTLY IN FORCE. ANSWERS TO QUESTIONS A, B, AND C OF REFTTEL ARE PROVIDED WITH RESPECT TO COUNTRIES WHICH HAVE SPECIAL LEGISLATION IN THIS FIELD. THE ACTUAL AMOUNTS ARE SHOWN IN MILLIONS OF UNITS OF CURRENCY. INFORMATION OBTAINED FROM OTTO VON BUSEKIST, AFFAIRES JURIDIQUES, NEA. BUSEKIST BELIEVES TEXT OF PERTINENT LAWS ARE ALREADY IN POSSESSION OF NRC. ADDITIONALLY, HE IS INTERESTED IN DETAILS OF LAW SUIT MENTIONED IN REFTTEL, PARTICULARLY, THE CONSTITUTIONALITY ISSUE.

2. AUSTRIA - FEDERAL ACT OF 29TH APRIL L964 ON LIABILITY FOR NUCLEAR DAMAGE - (A) AS 500; (B) AS 130; (C) AS 500.

BELGIUM - LAW OF 18TH JULY 1966 - (A) BF 500; (B) BF 500;

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 OECD P 27311 01 OF 02 180528Z

(C) ----

DENMARK - ACT NO. 332 OF 19TH JULY 1974 - (A) DK 75;
(B) DK 75; (C) 120 EMA U/A.

FINLAND - ACT OF 8TH JUNE 1972 - (A) FM 42;
(B) FM 42; (B) FM 42; (C) 120 EMA U/A.

FRANCE - LAW NO. 68.943 OF 30TH OCTOBER 1968 - (A) FF
50; (B) FF 50; (C) 120 EMA U/A.

GERMANY - ATOMIC ENERGY ACT OF 23RD DECEMBER 1959, AS
REVISED - (A) DM 1,000;(B) VARYING ACCORDING TO RISK -
MAXIMUM DM 500; (C) DM 1,000.

ITALY - LAW OF 31ST DECEMBER 1962, AS AMENDED - (A) LIRE
7,500; (B) LIRE 7,500; (C) LIRE 75,000.

JAPAN - ACTS NO. 147 AND 148 OF 17TH JUNE 1961, AS AMEND-
ED BY ACT NO 53 OF 1ST MAY 1971 - (A) UNLIMITED;
(B) VARYING ACCORDING TO RISK - MAXIMUM 6 MILLION YEN;
(C) AS APPROVED BY DIET;

NETHERLANDS - ACT OF 27TH OCTOBER 1965 - (A) HF1 430;
(B) HF1 100; (C) HF1 430.

NORWAY - ACT OF 12TH MAY 1972, AS AMENDED - (A) NKR 70;
(B) NKR 70 OR AS FIXED BY MINISTER; (C) 120 EMA U/A.

SPAIN - ACT OF 29TH APRIL 1974, AS AMENDED. DECREE NO.
2177 OF 22JULY 1967 - (A) PTAS 350; (B) AS FIXED BY

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UNCLASSIFIED

PAGE 01 OECD P 27311 02 OF 02 180528Z

12
ACTION NRC-07

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INR-07 IO-13 NSAE-00 NSC-05 EB-07 OES-06 DODE-00

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R 172042Z SEP 76
FM USMISSION OECD PARIS
TO SECSTATE WASH DC 3437

UNCLAS SECTION 02 OF 02 OECD PARIS 27311

DECREE OF 22ND JULY 1967; (C) TO BE FIXED BY THE STATE IF
THE NEED ARISES.

SWEDEN - ACT NO. 45 OF 8TH MARCH 1968 - (A) SKR 50;
(B) SKR 50; (C) 120 EMA U/A.
SWITZERLAND - LAW OF 23RD DECEMBER 1959 - (A) SF 40;
(B) SF 40; (C) TO BE FIXED BY THE STATE IF THE NEED
ARISES.

UNITED KINGDOM - NUCLEAR INSTALLATIONS ACT 1965/1969 -
(A) POUNDS 5; (B) POUNDS 5; (C) OOUNDS 50.

UNDER THE SYSTEM OF THE BRUSSELS SUPPLEMENTARY CONVEN-
TION, COMPENSATION FOR NUCLEAR DAMAGE IS PROVIDED IN
THREE STAGES:

- UP TO AT LEAST 5 MILLION EMA U/A BY INSURANCE OR OTHER
FINANCIAL SECURITY;
- BETWEEN THIS AMOUNT AND 70 MILLION EMA U/A OUT OF
PUBLIC FUNDS TO BE MADE AVAILABLE BY THE CONTRACTING
PARTY IN WHOSE TERRITORY THE NUCLEAR INSTALLATION OF THE
OPERATOR LIABLE IS SITUATED;

-BETWEEN 70 MILLION AND 120 MILLION EMA U/A OUT OF PU-
BLIC FUNDS TO BE MADE AVAILABLE BY ALL CONTRACTING
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PAGE 02 OECD P 27311 02 OF 02 180528Z

PARTIES ACCORDING TO A FORMULA WHICH TAKES ACCOUNT OF
THE RESPECTIVE GROSS NATIONAL PRODUCTS AND THE THERMAL
POWER INSTALLED.

THE EUROPEAN MONETARY AGREEMENT UNIT OF ACCOUNT
(EMA U/A) IS DEFINED IN TERMS OF GOLD AND WAS EQUIVALEHT
TO 1 US DOLLAR AT THE TIME OF THE ADOPTION OF THE PARIS
CONVENTION.
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Message Attributes

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